

**SUPREME COURT MINUTES  
FRIDAY, AUGUST 17, 2007  
SAN FRANCISCO, CALIFORNIA**

**S046848****PEOPLE v. DALTON (KERRY  
LYN)**

Extension of time granted.

Good cause appearing, and based upon Supervising Deputy State Public Defender Denise Anton's representation that she anticipates filing the appellant's reply brief by March 2008, counsel's request for an extension of time in which to file that brief is granted to October 23, 2007. After that date, only three further extensions totaling about 150 additional days are contemplated.

**S084996****PEOPLE v. CHHOUN (RUN)**

Extension of time granted.

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to October 22, 2007.

**S143058****RICCARDI (JOHN ALEXANDER)  
ON H.C.**

Extension of time granted.

Good cause appearing, and based upon counsel Carla J. Johnson's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by February 2008, counsel's request for an extension of time in which to file that document is granted to October 22, 2007. After that date, only two further extensions totaling about 120 additional days are contemplated.

**S148712**

B188695 Second Appellate District, Div. 7

**BARSAMYAN (VARDUI ROSE)  
v. APPELLATE DIVISION OF  
S.C. (PEOPLE)**

Extension of time granted.

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the petitioner's reply brief on the merits is extended to September 10, 2007.

**S138169**      D045067 Fourth Appellate District, Div. 1      **S. (JOSHUA), ADOPTION OF**  
Request for judicial notice granted.

In the above-entitled matter, the court grants Annette F.'s request for judicial notice, filed October 25, 2005; Annette F.'s second request for judicial notice, filed January 13, 2006; Sharon S.'s Request for Judicial Notice of Legislative History, filed February 14, 2006; and Annette F.'s request for judicial notice accompanying opening letter brief, filed June 18, 2007.

**S142546**      B178689 Second Appellate District, Div. 4      **DOE (JOHN) v. CITY OF LOS ANGELES**

Order filed.

The request of counsel for appellants in the above-referenced cause to allow two counsel to argue on behalf of appellants at oral argument is hereby granted. The request of appellants to allocate to counsel David M. Storey 10 minutes and counsel Irwin M. Zalkin 20 minutes of appellants' 30-minute allotted time for oral argument is granted.

**S145087**      **SENTRY SELECT INSURANCE COMPANY v. FIDELITY & GUARANTY INSURANCE COMPANY**

Order filed.

Respondent's motion for permission to file a supplemental brief on the merits is hereby granted. A reply to the supplemental brief may be served and filed by appellant within ten days of the filing of the brief.

**S145875**      **SUSPENSION DUES - NONPAYMENT**

Order filed.

Due to clerical error on the part of The State Bar of California, and good cause appearing, it is ordered that the order of suspension for nonpayment of fees filed on August 22, 2006, effective September 18, 2006, be amended nunc pro tunc to strike the name GABRIELLE HELEN FITZMAURICE-KENDRICK, #165660.

**S153630****FETTERMAN ON DISCIPLINE**

Recommended discipline imposed: Disbarred.

It is hereby ordered that DAVID ELIAS FETTERMAN State Bar No. 189990 be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 9.20 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S153631****HEISLER ON DISCIPLINE**

Recommended discipline imposed: Disbarred.

It is hereby ordered that LAWRENCE ALAN HEISLER, State Bar No. 110657, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is ordered to make restitution within 30 days following the effective date of this order or within 30 days following the Client Security Fund payment, whichever is later, to Frank Piazza in the amount of \$28,507.40 plus 10 percent interest per annum from March 29, 2004, (or to the Client Security Fund to the extent of any payment from the fund to Frank Piazza, plus interest and costs, in accordance with Business and Professions Code section 6140.5) and to the Client Security Fund in the amount of \$3,054.53 plus 10 percent interest per annum from March 15, 2005. Respondent is also ordered to comply with rule 9.20 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S153632****RUBENSTEIN ON DISCIPLINE**

Recommended discipline imposed.

It is ordered that JEFFERY KIRK RUBENSTEIN, State Bar No. 167192, be suspended from the practice of law for two years and until he provides proof satisfactory to the State Bar Court of his rehabilitation, present fitness to practice and present learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct; that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for 60 days with credit towards the period of actual suspension given for the period of inactive enrollment from August 20, 2001, through May 15, 2003. Jeffery Kirk Rubenstein is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision and Order Filing and Sealing Certain Documents

filed April 6, 2007. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of his passage of the examination to the State Bar's Office of Probation. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S153636****LISS ON DISCIPLINE**

Recommended discipline imposed.

It is ordered that STEVEN R. LISS, State Bar No. 129527, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on April 27, 2007, as modified by its order filed on May 23, 2007. Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10, and one-third of said costs be paid with membership fees for the years 2008, 2009, and 2010. It is further ordered that if respondent fails to pay any installment within the time provided herein or as may be modified by the State Bar Court pursuant to section 6086.10, subdivision (c), the remaining balance of costs is due and enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S153637****MASCOTT ON DISCIPLINE**

Recommended discipline imposed.

It is ordered that OWEN T. MASCOTT, State Bar No. 134243, be suspended from the practice of law for six months, that execution of the suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on April 25, 2007, as modified by its order filed May 31, 2007. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S153638****ANDRES ON DISCIPLINE**

Recommended discipline imposed: Disbarred.

It is hereby ordered that ROBERT KARL ANDRES, State Bar No. 104018, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Robert Karl Andres is also ordered to comply with rule 9.20 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)